

### **REMARKS**

The present amendment and remarks are responsive to the Non-final Office Action mailed on March 16, 2007. Following entry of the foregoing amendment, Claims 29-52 remain pending. Independent Claims 37 and 48 and dependent Claim 50 has been amended. Independent Claim 51 has been cancelled. Applicants respectfully submit that no new matter has been added by the foregoing amendments. In view of the amendments and remarks, Applicants respectfully assert that the objections and rejections are now made moot and that the pending claims are in condition for allowance.

The Applicants wish to thank Examiner Nguyen for the Telephonic Examiner Interview conducted on May 7, 2007. The present amendment and remarks have been made in accordance with the discussion that took place in that interview. Accordingly, the Applicants respectfully submit that the pending claims are allowable over the cited prior art.

### **Claim Rejections Under 35 U.S.C § 112**

In the Office Action, Claims 48-50 were rejected under 35 U.S.C. § 112, first paragraph, because the best mode contemplated by the inventor was not disclosed. More particularly, the Office Action contended that Claims 48-50 recite a single means claim. A single means claim is a means plus function claim that does not appear to recite a combination of elements, and it is subject to an undue breadth rejection under 35 U.S.C. § 112, first paragraph.

The Applicants respectfully contend that independent Claim 48 does not recite a single means claim. The Applicants recognize that *In re Hyatt*, which was cited by the Office Action, holds that a single means claim is properly rejected under the best mode requirement of 35 U.S.C. § 112, first paragraph. However, the Applicants note that *In re Hyatt* defines a single means claim as “a claim drafted in means-plus-function format yet reciting only a single element instead of a combination.” 708 F.2d 712, 713 (Fed. Cir. 1983). The Applicants further note that the claim at issue in *In re Hyatt* recited a processor comprising “incremental means for incrementally generating the Fourier transformed incremental output signals in response to the incremental input signals.” 708 F.2d at 712-13 (emphasis added).

In marked contrast to the claim at issue in *In re Hyatt*, independent Claim 48 does not recite means-plus-function language or in any way invoke 35 U.S.C. § 112, paragraph 6. Although independent Claim 48 recites a system with a single component (i.e., a processor), independent Claim 48 does not constitute a single means claim because it does not recite means-plus-function language. Accordingly, the Applicants respectfully assert that independent Claim 48 satisfies the best mode requirement of 35 U.S.C. § 112, first paragraph and is in condition for allowance.

Although the Applicants contend that independent Claim 48 does not recite a single means claim, in order to expedite the allowance of the present application, independent Claim 48 has been amended to now specifically recite “at least one network interface configured to transmit and receive communications via a network.” Following this amendment, Claim 48 now recites a system that includes both “at least one network interface” and “a processor.” Accordingly, the Applicants respectfully contend that amended Claim 48 is not limited to a single component and, therefore, cannot be construed as a single means claim.

For at least the reasons stated above, the Applicants respectfully assert that independent Claim 48 satisfies the best mode requirement of 35 U.S.C. § 112, first paragraph and is in condition for allowance. Additionally, because dependent Claims 49 and 50 depend from independent Claim 48, those claims are likewise allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features.

#### **Claim Rejections Under 35 U.S.C. § 102**

The Office Action rejected Claims 51 and 52 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,128,603 to Dent et al. More specifically, the Office Action contends that Dent anticipates each of the elements of independent Claim 51. Additionally, the Office Action contends that Dent anticipates each of the elements of independent Claim 52 because independent Claim 52 is written in means that parallel the limitations found in independent Claim 51.

The Applicants believe that independent Claim 51 is allowable over Dent, as discussed in the Amendment and Response to Non-final Office Action filed on December 13, 2006.

Although the Applicants contend that independent Claim 51 is allowable over Dent, in order to expedite the allowance of the present application, independent Claim 51 has been cancelled.

With respect to independent Claim 52, the Applicants respectfully assert that independent Claim 52 does not parallel the limitations found in independent Claim 51. Specifically, independent Claim 52 recites “means for determining a revised amount the available bill in response to the received disputation,” which is not recited in independent Claim 51. The Applicants respectfully contend that independent Claim 52 more closely parallels the limitations found in independent Claims 29 and 37, which were found to be allowable subject matter by the Office Action. Claim 51 fails to recite a disputation. However, Claims 29 and 37 both recite receiving a disputation and determining a revised amount of the available bill in response to the received disputation. Accordingly, as discussed in the Telephonic Interview of May 7, 2007, the Applicants respectfully contend that independent Claim 52 is written in means that parallel the limitations of allowable independent Claims 29 and 37. Thus, the Applicants respectfully assert that independent Claim 52 is likewise allowable over the prior art of record.

#### **Allowable Subject Matter**

In the Office Action, Claims 29-47 were allowed over the prior art of record. By the foregoing amendment, independent Claim 37 has been amended to correct minor typographically errors. The Applicants respectfully contend that no new matter has been added to amended independent Claim 37. Accordingly, the Applicants respectfully assert that amended independent Claim 37 is allowable over the prior art of record.

**CONCLUSION**

The Applicants believe they have responded to each matter raised by the Examiner. Allowance of the claims is respectfully solicited. Any questions may be directed to the undersigned at 404.853.8233. It is not believed that fees for addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by teleconference or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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